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RCE

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# Request For Continued Examination (RCE) Transmittal

Address to:
MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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|---|---|
| Application Number | 09/935,487-Conf. #1401 |
| Filing Date | August 23, 2001 |
| First Named Inventor | Robert Rioux, et al. |
| Art Unit | 3738 |
| Examiner Name | B. E. Pellegrino |
| Attorney Docket Number | 62894 (71589) |

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

   a. [x] Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

      i. [ ] Consider the arguments in the Appeal Brief or Reply Brief previously filed on April 15, 2005

      ii. [x] Other Response to Final Office Action, filed on April 15, 2005 (copy enclosed)

   b. [ ] Enclosed

      i. [ ] Amendment/Reply

      ii. [ ] Affidavit(s)/Declaration(s)

      iii. [ ] Information Disclosure Statement (IDS)

      iv. [ ] Other _____

2. Miscellaneous

   a. [ ] Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

   b. [ ] Other _____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

   a. [x] The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 04-1105 . I have enclosed a duplicate copy of this sheet.

      i. [x] RCE fee required under 37 CFR 1.17(e)

      ii. [x] Extension of time fee (37 CFR 1.136 and 1.17)

      iii. [ ] Other _____

   b. [ ] Check in the amount of $ _____ enclosed

   c. [ ] Payment by credit card (Form PTO-2038 enclosed)

***SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED***

| | | | |
|---|---|---|---|
| Signature | | Date | June 13, 2005 |
| Name (Print/Type) | Lisa Swiszcz Hazzard | Registration No. | 44,368 |

**Certificate of Express Mailing**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV654383684US, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 13, 2005 Signature: Lakeisha Bryant (Lakeisha Bryant)

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